

Stephen A. Katz, P.C.  
Attorney at Law

111 JOHN STREET, SUITE 800  
NEW YORK, NY 10038-3180  
(212) 349-6400 FAX: (646) 308-1177  
1-(800) 251-3529  
sakatz00@aol.com

**MEMO ENDORSED**

24 January 2014

Stephen A. Katz (MA, NY & PA)

Honorable Nelson S. Roman  
United States District Judge  
United States Courthouse  
300 Quarropas Street  
White Plains, NY 10601

Re: Hutter v. Countrywide Bank, N.A., Civil Action no. 09-CV-10092 (NSR) (LMS)

Dear Judge Roman:

As plaintiff Nance M. Hutter's counsel, I am writing to request a one-week extension of the deadline for Hutter to submit her opposition to defendant Countrywide Bank, N.A.'s cross-motion for sanctions under 28 U.S.C. sec. 1927; or until 4 February 2014,

I also ask permission for each of Hutter's reply memoranda in her motion to file a fourth amended complaint, to be up to twenty pages long.

1. **The original deadline:** Hutter's opposition to Countrywide's cross-motion is currently due on 28 January 2014. She requests that the deadline be extended to 4 February 2014. If the Court grants that request, Hutter consents to Countrywide's (a) having until 11 February 2014 to reply to Hutter's opposition to the bank's cross-motion; and to Countrywide's (b) having an extension of the 11-FEB-2014 reply deadline if it needs it.

2.-3. **The number of previous requests for adjournment or extension, and whether they were granted:**

**Hutter:**  
**Seven previous requests**

17-MAY-2010, docket no. 18 Granted  
31-MAR-2011, docket no. 35 Granted  
06-MAY-2011, docket no. 38 Granted  
15-NOV-2011, docket no. 47 Granted  
19-AUG-2012, docket no. 70 Denied  
08-NOV-2013, docket no. 98 Denied  
21-JAN-2014, docket no. 106 Granted

**Countrywide Bank, N.A.:**  
**Six previous requests**

23-DEC-2009, docket no. 3, Granted  
05-FEB-2010, docket no. 6, Granted  
29-JUN-2010, docket no. 29, Granted  
04-FEB-2011, docket no. 33, Granted  
03-JUN-2011, docket no. 40 Granted  
13-MAY-2013, docket no. 85 Granted

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**Evolution Mortgage Inc.:**  
**One previous request**

**Watermark Capital, Inc.:**  
**Two previous requests**

16-DEC-2011, docket no. 52, Granted

13-DEC-2011, docket no. 51, Granted

13-MAY-2013, docket no. 86 Granted

4. **The reason for the instant request:** Hutter appreciates Your Honor's having already extended by one week her deadline for submitting reply papers in her motion to file a fourth amended complaint. However, those papers will consist of three separate memoranda of law so that Hutter replies individually to each defendant's opposition to her motion. The burden of her producing yet a fourth memorandum by 28-JAN-2014 to oppose Countrywide's sanctions motion, turns out to be more work than I can handle. Indeed, perhaps recognizing that having four memoranda due on a single day would be difficult, originally when Hutter's reply papers were due on 21-JAN-2014 before Your Honor extended that deadline, Your Honor set the deadline for Hutter's opposing the sanctions motion a week later, on 28-JAN-2014. So the extension that Hutter is requesting in this letter, will restore the arrangement of her having a week after her own motion's the reply deadline, to oppose Countrywide's cross-motion.

Regarding Hutter's request to submit reply memoranda that are each up to twenty pages long, I realize that the Court appreciates brevity; I make the request only to be sure that Hutter will be able to present her complete arguments.

5.-6. **Whether the adversaries consent:** All three defendants consent to Hutter's having until 04-FEB-2014 to serve her opposition to Countrywide's cross-motion for sanctions under 28 U.S.C. sec. 1927.

Thank you for considering these requests.

Sincerely yours,

The application is

  
Stephen A. Katz  
— granted  
— denied.

  
Nelson S. Roman, U.S.D.J.

Dated: Jan. 28, 2014

White Plains, New York 10601

SAK

cc: To all counsel by fax

[1]

Plaintiff's request for a 1 week extension is Granted. Plaintiff's opposition to Defendant Countrywide's cross motion is to be served on Feb. 4, 2014 and Defendant's reply is to be served on Feb. 11, 2014. Plaintiff also Granted leave to file <sup>each</sup> reply memoranda of up to twenty pages in length. All motion papers to be filed on Feb. 11, 2014.